UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF ALABAMA EASTERN DIVISION

RONNIE GILES,)	
)	
Plaintiff,)	
)	
VS.)	CAUSE NO. 3:06 CV 528-WKW
)	
MASTERBRAND CABINETS, INC.)	
)	
Defendant.)	

DEFENDANT MASTERBRAND CABINETS, INC.'S <u>FINAL EXHIBIT LIST</u>

Defendant, MasterBrand Cabinets, Inc. ("MasterBrand"), by counsel submits the following preliminary list of exhibits it may present at trial.

- 1. MasterBrand's Attendance Policy Effective 7/18/05.
- 2. Associate Receipt of Attendance Policy effective 7/18/05.
- 3. Vacation Policy from the Employee Handbook.
- 4. Employee Acknowledgement and Receipt of Employee Handbook.
- 12/19/05 Memo to All MBCI Auburn Associates from P. Ezell
 re: Vacation Policy Revision (Effective 1/1/06).
- Employee Acknowledgement and Receipt of Standards of Business
 Conduct.
- 7. Punch Detail and Points Detail reports of Plaintiff's attendance.
- 8. All documents pertaining to Plaintiff's Request for Leave of Absence.
- 9. Hughston Clinic Release to Work Slip dated 1/3/05.

- 10. E-mail detailing employees who called off work 1/5/06.
- 11. E-mail detailing employees who called off work 1/6/06.
- 12. Employee written warning notice dated 1/6/06.
- 13. 1/9/06 Termination Letter.
- 14. All documents showing income earned by Plaintiff from Weidman Plastics Technology North America, Inc.
- 15. All documents showing income earned by Plaintiff from Area Realty LLC.
- 16. All documents showing income earned by Plaintiff from MasterBrand Cabinets, Inc.
- 17. List of employees terminated for attendance between 7/18/05 through 1/31/07 and supporting documentation.
- 18. List of employees who received written warnings for attendance since between 7/18/05 and 1/31/07 and supporting documentation.
- 19. Employee Handbook.
- 20. Plaintiff's deposition and attached exhibits.
- 21. Deposition of Perry Ezell and attached exhibits.
- 22. Discovery responses received from Plaintiff.
- 23. Plaintiff's Responses to Defendant's Request for Admissions.
- 24. Any document produced by Defendant in discovery.
- 25. Affidavit of Perry Ezell.
- 26. Supplemental Affidavit of Perry Ezell.
- 27. Any charts, diagrams, graphs and tables prepared for use as illustrative or demonstrative exhibits.
- 28. Any exhibit listed by the Plaintiff.

Any exhibit needed for purposes of impeachment or rebuttal. 29.

Respectfully submitted

BAKER & DANIELS LLP

By: s/Kelley Bertoux Creveling

Mark J. Romaniuk, 15255-49 Kelley Bertoux Creveling, 19309-49 300 North Meridian Street, Suite 2700 Indianapolis, Indiana 46204

Phone: (317) 237-0300 Facsimile: (317) 237-1000

E-mail: mark.romaniuk@bakerd.com E-mail: kelley.creveling@bakerd.com

Attorneys for Defendant

CERTIFICATE OF SERVICE

I certify that on July 11, 2007, a copy of the foregoing was filed electronically. Notice of this filing will be sent to the following party by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

> David R. Arendall Allen D. Arnold Arendall & Associates 2018 Morris Avenue, Suite 300 Birmingham, Alabama 35203

> > s/Kelley Bertoux Creveling